

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas R. Schimert, et al.
Serial No.: 09/844,171
Filed: April 25, 2001
Group No.: 2878
Examiner: Timothy J. Moran
Notice of Allowance Mailed: October 14, 2003
Confirmation No.: 1740
Title: INFRARED DETECTOR WITH AMORPHOUS SILICON
DETECTOR ELEMENTS, AND A METHOD OF MAKING IT

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Issue Fee Transmittal (PTOL-85), Request to Apply Previously Paid Issue Fee and Comments on Allowance are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on this 12th day of January 2004 addressed to Mail Stop ISSUE FEE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Willie Jiles

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Dear Sir:

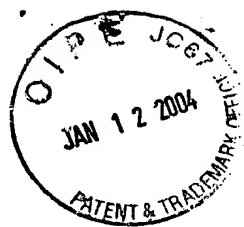
COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicants appreciate the Examiner's allowance of Claims 1, 2, 4-9, 13, 16, 18, and 28-54. Pursuant to 37 C.F.R. § 1.104, Applicants respectfully issue a statement commenting on the Examiner's reasons for allowance. Applicants respectfully disagree with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, Applicants do not admit to any characterization or limitation of the claims or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants


Jerry W. Mills
Registration No. 23,005

Date: 1/12/04
2001 Ross Avenue, Suite 600
Dallas, TX 75201-2980
(214) 953-6665



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Dear Sir:

REQUEST TO APPLY PREVIOUSLY PAID ISSUE FEE

Applicant respectfully requests that the previously submitted Issue Fee for the above-identified patent application paid February 24, 2003, in the amount of \$1,300.00 for the Issue Fee as a Large Entity and, \$30.00 for ten (10) patent copies be applied toward the payment of the Issue Fee that is due on January 14, 2004 for the above-identified patent application.


A Petition to Withdraw from Issue Pursuant to 37 C.F.R. § 1.313 was filed concurrently with the Issue Fee on February 24, 2003 when Applicant became aware of previously unconsidered references that were material to the Application. A Request for Continued Examination (RCE) and an Information Disclosure Statement were filed concurrently with the Petition. The Decision on Petition mailed March 31, 2003 granted Applicants' Petition, and Applicants were advised that the Issue Fee previously paid would be applied to the currently due Issue Fee upon filing of a request for such action. Since the mailing date of the Decision the PTO has affected a fee increase of \$30.00 for a Large Entity. Accordingly, Applicants hereby

submit a check in the amount of \$30.00 to cover the fee increase, Part B of the Issue Fee Transmittal and a copy of the Decision.

The Commissioner is authorized to charge any additional fee which may be due in payment of the Issue Fee or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant


Jerry W. Mills
Registration No. 23,005

Date: 1/12/04
2001 Ross Avenue, Suite 600
Dallas, TX 75201-2980
(214) 953-6665
Attorney Docket No .004578.1104